



**Dudley Directorate of Children's Services**

# **Good Practice Guidance for Schools**

## **The Use of Physical Interventions Including Restrictive Physical Interventions**

*UNICEF's Rights of the Child (Article 29) states that "children's education should develop each child's personality, talents and abilities to the fullest. It should encourage children to respect others, human rights and their own and other cultures. It should also help them learn to live peacefully, protect the environment and respect other people. Children have a particular responsibility to respect the rights of their parents, and education should aim to develop respect for the values and culture of their parents". This philosophy underpins every aspect of the curriculum at Queen Victoria Primary School. It also states in Article 19 that "Children have the right to be protected from being hurt or mistreated, physically or mentally".*

This policy has been prepared for the support of all staff who come into contact with pupils at Queen Victoria Primary School. It is designed to explain the school's arrangements for care and control. Its contents will be made available to all parents/carers and pupils.

### **Purpose**

Good personal and professional relationships between staff and pupils are vital to ensure good order in our school. It is recognised that the majority of pupils in our school respond positively to the discipline and control practiced by staff. This ensures the well-being and safety of all pupils and staff in school. It is also acknowledged that in exceptional circumstances, staff may need to take action in situations where the use of reasonable force may be required.

**Children and young people** need to be safe and aware of how they should behave. Some (generally only a few and very occasionally) lose control. They need to know we are able to control them safely and confidently. Our pupils respond well to the school rules and conventions. Situations in which physical intervention may be needed are therefore likely to be relatively few in number.

**All our staff** need to be safe and confident in how they manage inappropriate behaviour. This policy seeks to ensure that staff at Queen Victoria Primary School clearly understand their responsibilities in taking appropriate measures where reasonable force is required. It is essential that staff are well-informed and appropriately trained to deal with these difficult situations and understand fully the rationale and implications of guidance.

**Parents** need to know that their child and those who are teaching her or him are safe and free from disruptive influences or danger. They also need to know that they will be properly informed if their child is the subject of physical intervention; and they need to know the nature of the intervention and the rationale for its use. This policy connects to and is consistent with our other policies, especially those on Behaviour Management, Health and Safety and Child Protection.

### **Our Approach: 'Prevention is better than cure'**

We always try to avoid using physical interventions and regard them as a last resort for a very small minority of situations. We provide a clearly planned and differentiated curriculum that provides appropriate levels of challenge to all pupils, and maintain an effective school behaviour policy that is known and understood by all staff and pupils. Restrictive physical intervention is then our method of last resort, after all other approaches have been tried or in situations of clear danger or extreme urgency. We utilise only the minimum force required to resolve the situation safely. How we respond always has regard to the circumstances and to the age and understanding of the child or young person.

Where there is a foreseeable risk that a pupil could behave in such a way as to require restrictive physical intervention, we undertake a risk assessment in order to balance the risks to the pupil and to others of intervening or not.

Planning is also undertaken to see if trigger situations can be avoided and other positive strategies employed to lessen the likelihood of such incidents occurring.

### **Who can use restrictive physical intervention and when?**

The law allows 'teachers, and other persons who are authorised by the Head Teacher to have control or charge of pupils to use such force as is reasonable in all circumstances **to prevent** a pupil from doing, or continuing to do, any of the following:

- Committing a criminal offence (including behaving in a way that would be an offence if the pupil were not under the age of criminal responsibility)
- Injuring themselves or others
- Causing damage to property (including the pupil's own property)
- Engaging in any behaviour prejudicial to maintaining good order and discipline at the school or among any of its pupils, whether that behaviour occurs in a classroom during a teaching session or elsewhere'. (Education Act 1996, Section 550A)

In this school, the following staff (in addition to teachers employed at the school) are authorised by the Head Teacher to have control of pupils and must be made aware of this policy and its implications: teaching assistants, lunchtime supervisors, admin staff and our site team.

School staff are also, like anyone else, allowed to use reasonable force (the minimum necessary) to defend themselves. We take the view that staff are not expected to put themselves in danger; and that removing pupils and themselves from a source of danger is an appropriate thing to do. We appreciate the integrity of our staff and value their efforts to rectify situations that are difficult and in which they exercise their duty of care for their pupils. However, we do not require them to go beyond what is reasonable. In particular, it is acceptable for any member of staff to decide that they will not use restrictive physical intervention for personal reasons.

Staff should not normally use force to maintain order or to avoid damage to property unless the young person's actions pose a threat to themselves or another.

### **Acceptable Physical Interventions**

Reasonable force is not defined legally in isolation. It must be justified as appropriate by the circumstances. We use only the minimum force that is needed to restore safety or appropriate behaviour; and we take account of the age, understanding and gender of the pupil.

Acceptable forms of intervention in this school include:

- Leading or guiding a pupil by the hand or arm, or shepherding them with a hand in the centre of the back
- Holding a pupil who has lost control until they are calm and safe
- Physically moving between and separating two pupils
- Blocking a pupil's path
- Use of reasonable force to remove a weapon or dangerous object from a pupil's grasp
- Where there is immediate risk of injury, any necessary action that is consistent with the concept of 'reasonable force', for example, to prevent a pupil running into a busy road or hitting or hurting someone
- Using more restrictive holds in extreme circumstances

It is also acceptable for doors to have double or high locks to ensure pupil safety, or for external doors to be locked for security purposes, if a member of staff is with the pupils in such circumstances. At all times the fire regulations will be adhered to.

Staff may move, defend themselves, lead, restrain or block someone, bearing in mind the whole time their own safety, as well as that of others, and of the child who is the subject of any restraint or other intervention.

**It is unacceptable and likely to be illegal or grounds for disciplinary action for staff to use any physical intervention designed to cause pain or injury, including:**

- Any form of corporal punishment, slapping, punching or kicking
- Holding by the neck or collar, or otherwise restricting the ability to breathe
- Holding by the hair or an ear
- Twisting or forcing limbs against a joint
- Tripping up a pupil or holding an arm out at neck or head height to stop them
- Holding a pupil face down on the ground or sitting on them
- Locking a pupil in a room

**Staff should also avoid touching or holding a pupil in a way that might be considered indecent.**

Physical interventions are not used to achieve a search of clothing or property, even if we had good reason to believe that a weapon or dangerous drugs were being concealed.

### **Using Physical Intervention**

Except in cases where there is immediate danger, we would normally try other ways of resolving or de-escalating a situation. These could include:

- Calmly re-stating the rules and expectations for the situation
- Removing other pupils from the situation and thus from danger of being an audience
- Use of physical proximity, but not in a threatening way
- Encouraging the pupil to withdraw to a safer and calmer situation
- Calling another adult for support or to take over
- If more than minor physical intervention is judged to be necessary, the teacher or adult in charge should:
  - Send for the assistance of another adult (for support, or to take over, and as a witness)
  - Remove other pupils from the scene, if possible
  - Continue to talk calmly to the pupil, explaining what will happen and under what circumstances the physical intervention will cease (but not in a threatening way)
  - Use the minimum force necessary and cease the intervention as soon as it is judged safe
  - Not act punitively in any way, verbally or physically

In rare circumstances, we may consider it appropriate to call the police.

Following a significant incident of physical intervention, when a pupil has resisted or challenged and force has been used, the teacher or adult responsible should as soon as possible inform either the Head Teacher or Deputy Head Teacher. We acknowledge that such events are stressful for both pupils and staff and both parties will need time to recover, with the chance of de-briefing and resolving the situation.

A full written account of the incident will be made by the member of staff concerned and recorded on an incident form within the Bound and Numbered Book which contains:

- Name(s) of pupil(s) concerned, when and where the incident occurred
- Names of staff or pupils who witnesses
- The reason why force was needed
- How the incident began and progressed, who said what, who did what
- What was done to calm things down
- What degree of force was used, what kind of hold, where and for how long
- Pupil's response and the outcome of the incident
- Details of any injury to any person or damage to property

The form will be signed and dated by the member of staff and countersigned that it has been read by the Head Teacher or Deputy Head Teacher, who will:

- Discuss the incident with the pupil as soon as possible
- Interview staff involved and any other witnesses
- Inform the pupil's parents/carers and social worker, if relevant
- Record any disagreements expressed by the pupil or adults about the event
- Take any appropriate further action, liaising with Council, governors or unions, as appropriate, and acting within the Council's Child Protection Procedures

We report recorded incidents to the chair of governors.

For less significant incidents of intervention, eg. guiding, blocking a path, a record may be kept in order to monitor both the effectiveness of, or necessity for, a physical intervention plan.

### **Planning for Physical Intervention (Risk Assessment)**

Where we think a pupil might require physical restraint, we plan in advance and know who will do what. This planning includes helping pupils to avoid provoking situations, helping them find success and minimise frustration. It also helps us see better where we can head off difficulties when we spot them early enough.

The risk assessment will include:

- Involving the parents and the pupil to gain their views and to ensure that they are clear about what specific action the school might need to take
- A risk assessment that considers carefully the likely outcomes to the pupil and others of undertaking intervention or not
- Managing the pupil (e.g. reactive strategies to de-escalate a conflict, at what stage and which type of holds to be used)
- Identifying key staff who should know exactly what action they should be taking. Any member of staff who may have to use a physical intervention should always be fully briefed about the child in question, and it is best if they are well known to the child
- Ensuring that additional support can be summoned, if appropriate
- Identifying training needs and updates

## Training

We are clear that training of staff is vital in this area if we are to be seen to adopt best practice and maintain a record of safe management of all school situations. The training may include:

- Awareness training for staff and governors
- General training on behaviour management for all staff (not just teachers)
- Training on avoiding and coping with crisis/difficult/physically challenging events for appropriate staff
- Specific training and skill development on use of some basic ‘breakaway’ or ‘hold’ techniques that are safe and useful to know, for all or some staff

## Who needs to know?

Everyone connected with the school should know of the existence of the policy. However, not everyone needs to know about specific incidents.

	<b>About the Policy</b>	<b>About a Specific Incident</b>
Governors	Yes	Not generally – usually the chair of governors. Other governors receive regular reports on the total number of incidents
Parents	Yes	About incidents relating to their own child
Staff	Yes	About any incidents involving pupils of whom they may have charge
Pupils	Yes	Only those they witness
Council Health and Safety Team	Yes	Normally annual report
Unions	Yes	If informed by members

## Complaints

We hope that, by adopting this policy and keeping parents well informed, it should help to avoid the need for complaints. Any disputes that do arise about the use of force by a member of staff will be dealt with in accordance with Child Protection Procedures, a copy of which is available in school. This could in some circumstances lead to an investigation by police and social services.

Complaints about this policy should be directed to the Head Teacher or Chair of Governors.

## GDPR – Personal Data

This policy is collecting personal data and accordingly adheres to the principles of data protection law. Further information on the lawful basis of using personal data can be found in the school’s privacy notices. The personal data obtained will also be managed in line with the school’s data retention policy. For further information, please refer to the schools data protection policy.”

Policy Approved by Chair of Governors – 13<sup>th</sup> December 2019

Policy Review date: November 2020



## APPENDIX: Planning for Physical Intervention

RISK ASSESSMENT		
Name of child:	Date of Birth:	Class:
Who has drawn up this risk assessment?		
Why does this child require a risk assessment? What do the behaviours look like, and where may they take place?		
How can we avoid a situation where physical restraint may be used?		
How can the situation be de-escalated if it starts?		
What kind of physical intervention may be necessary eg. guiding, holding, blocking a path		
What will be done after the situation?		
Signature (Parent/carer): Date:	Signature (Headteacher): Date:	
Signature (Teacher): Date:	Signature (any other adult involved in drawing up this plan): Date:	
This assessment was discussed by:  with the child on: Date:	This assessment will be reviewed by:  Period eg termly/by/on Date:	